

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : Not yet assigned      Confirmation No.: Not yet assigned  
Applicant(s) : Daksh SADARANGANI et al.  
Filed : October 11, 2005  
Title : DNA ANALYSIS SYSTEM  
TC/A.U. : Not yet assigned  
Examiner : Not yet assigned  
Docket No. : 87036-0005  
Customer No. : 24633

**MAIL STOP PCT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97(b)**

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the document(s) listed on the attached Form PTO-1449, which the Examiner may deem relevant to the patentability of the above-identified application.

Copies of the documents are not being provided since copies should have been provided directly by WIPO under an exchange program between the PTO, the EPO, and the JPO. The absence of a translation or English-language counterpart document does not relieve the PTO from its duty to consider any submitted documents (37 C.F.R. §1.98 and MPEP §609).

This information disclosure statement is being filed within one of the following time periods: within three months of the filing date of this application other than a continued prosecution application, or within three months of the date of entry into the national stage of this international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114. Therefore, no certification under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO-1449. The references contained in this Information Disclosure Statement were first cited in the attached

Search Report dated July 14, 2004, in counterpart International Application No.  
PCT/NZ2004/000057.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission the listed documents are material or constitute "prior art." If the Examiner applies the documents as "prior art" against any claims in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

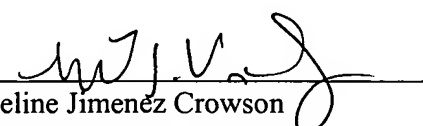
Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

Dated: October 11, 2005

**HOGAN & HARTSON LLP**  
555 13<sup>th</sup> Street, N.W.  
Washington, D.C. 20004  
Telephone: (202) 637-5600  
Facsimile: (202) 637-5910  
Customer No. 24633

By:   
Celine Jimenez Crowson  
Registration No. 40,357

Ajit J. Vaidya  
Registration No. 43,214

10/552159

JC09 Rec'd PCT/PTO 11 OCT 2005

|  |  |                                     |
|--|--|-------------------------------------|
| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE<br>(Modified) PATENT AND TRADEMARK OFFICE<br><br>INFORMATION DISCLOSURE<br>STATEMENT BY APPLICANT<br><br>(Use several sheets if necessary) | ATTY. DOCKET NO.<br>87036-0005         | APPLICATION NO.<br>Not yet assigned |
|  | APPLICANTS<br>Daksh SADARANGANI et al. |                                     |
|  | FILING DATE<br>October 11, 2005        | GROUP<br>Not yet assigned           |

## U.S. PATENT DOCUMENTS

| EXAMINER<br>INITIAL |    | PATENT<br>NUMBER | ISSUE<br>DATE | PATENTEE         | CLASS | SUBCLASS | FILING DATE<br>IF<br>APPROPRIATE |
|---------------------|----|------------------|---------------|------------------|-------|----------|----------------------------------|
|                     | A1 | 5,955,029 A      | 09/21/1999    | Wilding et al.   |       |          |                                  |
|                     | A2 | 2002-047003 A1   | 04/25/2002    | Bedingham et al. |       |          |                                  |
|                     |    |                  |               |                  |       |          |                                  |
|                     |    |                  |               |                  |       |          |                                  |
|                     |    |                  |               |                  |       |          |                                  |
|                     |    |                  |               |                  |       |          |                                  |
|                     |    |                  |               |                  |       |          |                                  |
|                     |    |                  |               |                  |       |          |                                  |
|                     |    |                  |               |                  |       |          |                                  |
|                     |    |                  |               |                  |       |          |                                  |
|                     |    |                  |               |                  |       |          |                                  |
|                     |    |                  |               |                  |       |          |                                  |
|                     |    |                  |               |                  |       |          |                                  |
|                     |    |                  |               |                  |       |          |                                  |

## FOREIGN PATENT DOCUMENTS

|  |    | DOCUMENT<br>NUMBER | PUBLISHED<br>DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION |    |
|--|----|--------------------|-------------------|---------|-------|----------|-------------|----|
|  |    |                    |                   |         |       |          | Yes         | No |
|  | A3 | WO2004/039500 A1   | 05/13/2005        | WIPO    |       |          |             |    |
|  | A4 | WO 00/12675        | 03/09/2000        | WIPO    |       |          |             |    |
|  | A5 | WO 00/060362 A1    | 10/12/2000        | WIPO    |       |          |             |    |

## NON PATENT LITERATURE DOCUMENTS

| Examiner<br>Initials* | Cite<br>No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), Title of the item (book, magazine, journal, serial symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
|-----------------------|-------------|--|
|                       | A6          | Derwent Abstract Accession 2003-816512; JP 2002/369682 A (Kitachi Keisokki), abstract  |
|                       | A7          | Sephadex: Rapid Group Separation of High and Low molecular weight substances, such as desalting, buffer exchange and sample clean up, <u>Gel Filtration Principles and Methods</u> , Amersham Biosciences AB, pp. 57-70, 2002                                  |
|                       |             | International Search Report dated July 14, 2004 for International Application No. PCT/NZ2004/000057  |

|          |                 |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.